

**RECEIVED**

JUN 03 2005

**GROUP 3600**

WILLIAMS MULLEN

**RECEIVED  
CENTRAL FAX CENTER****MAY 16 2005****Fax Cover Sheet**

**DATE:** May 16, 2005  
**TO:** PETRAVICK, MEREDITH C., group art 3671  
**FAX #:** 1-703-872-9306  
**FROM:** Cindy Parrish for Kimberly Chasteen  
**DIRECT DIAL #:** 757-249-7106  
**NUMBER OF PAGES**  
 (including coversheet): 24

**RE:**

Application Number: 09/825,176  
 Title: Trimmer Attachment for Lawn Mowers and Tractors  
 Filing Date: April 3, 2001  
 Inventor: James D. Mitchell, Jr.

**RECEIVED**  
**MAY 31 2005**  
 CIPE/JCMS

**MESSAGE:** Attached please find the Notice of Appeal filed May 14, 2003, Certificate of Transmittal and the fax transmittal confirmation showing that the fax did go through on that date. Also attached please find Petition for Extension of Time and Response filed on that same date, with a separate Certificate of Transmittal and fax transmittal confirmation for May 14, 2003. If you have any questions concerning these filings, please contact Attorney Kimberly Chasteen at 757-249-7102 or her paralegal, Cindy Parrish at 757-249-7106. The application has been abandoned due to failure to respond to Office Action, but these transmittals prove the Office Action Response was in fact filed in a timely manner. Please re-instate the application for examination. Thank you for your assistance in this matter.

|                             |                                 |                                           |
|-----------------------------|---------------------------------|-------------------------------------------|
| Atty. # or User ID:<br>2011 | Client/Matter #:<br>029079.0001 | Recipient's Telephone #:<br>(571)272-6995 |
| Requested By:<br>KAC        | Extension:<br>5102              | Floor:<br>NN                              |
|                             |                                 | Fax Operator: CDP                         |

*A Professional Corporation*

VIRGINIA • WASHINGTON, D.C. • LONDON

Fountain Plaza Three, Suite 200 721 Lakfront Commons Newport News, VA 23606-3324 Tel: 757.249.5100 Fax: 757.249.5109  
 www.williamsmullen.com

05/14/03 13:16 FAX 757 249 5109

WILLIAMS MULLEN CLARK

001

\*\*\*\*\*  
\*\*\* TX REPORT \*\*\*  
\*\*\*\*\*

TRANSMISSION OK

|                |                      |
|----------------|----------------------|
| TX/RX NO       | 1366                 |
| CONNECTION TEL | 50601063417033053597 |
| SUBADDRESS     |                      |
| CONNECTION ID  | TC 3600 USPTO        |
| ST. TIME       | 05/14 13:14          |
| USAGE T        | 01'15                |
| PGS. SENT      | 4                    |
| RESULT         | OK                   |



WILLIAMS MULLEN  
WILLIAMS MULLEN

Direct Dial: 757.249.7106

**IMPORTANT NOTICE:** This facsimile transmission is intended to be delivered only to the named addressee, and may contain material that is confidential, proprietary or subject to legal protection or privilege. If it is received by anyone other than the named addressee, the recipient should immediately notify the sender at the address and telephone number set forth herein and obtain instructions as to the disposal of the transmitted material. In no event should such material be read or retained by anyone other than the named addressee, except by express authority of the sender or the named addressee.

**TO:** M. Petravick  
**FROM:** Gail S. Morgan  
**DATE:** Wednesday, May 14, 2003  
**FAX #:** 703.305.3597  
**CLIENT #:**

**Pages, including coversheet:** 4



Direct Dial: 757.249.7106

**IMPORTANT NOTICE:** This facsimile transmission is intended to be delivered only to the named addressee, and may contain material that is confidential, proprietary or subject to legal protection or privilege. If it is received by anyone other than the named addressee, the recipient should immediately notify the sender at the address and telephone number set forth herein and obtain instructions as to the disposal of the transmitted material. In no event should such material be read or retained by anyone other than the named addressee, except by express authority of the sender or the named addressee.

**TO:** M. Petravick

**FROM:** Gail S. Morgan

**DATE:** Wednesday, May 14, 2003

**FAX #:** 703.305.3597

**CLIENT #:**

**Pages, including coversheet:** 4

**Re:** Application Number: 09/825,176  
Application of: James D. Mitchell, Jr.  
Title: Trimmer Attachment for Lawn Mowers

**Attached:**

Certificate of Transmission  
Notice of Appeal (in duplicate)

*Williams Mullen Clark & Dobbins*

MICHIGAN • VIRGINIA • WASHINGTON, D.C. • LONDON

Harbor Bank Center, Suite 210 One Old Oyster Point Road Newport News, VA 23602-7119 Tel: 757.249.5100 Fax:  
757.249.5109  
www.williamsmullen.com

**Certificate of Transmission**

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office (Fax No. (703) 305-3597).  
On May 14, 2003.

Typed or printed name of person signing this certificate

*Gail S. Morgan*

Signature

*Gail S. Morgan*

¶

PTO/SB/31 (05-03)

Approved for use through 4/30/2003. OMB 0551-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|                                                                                                                                                                                                                                                                                                                                                          |  |                                                                                                                                                                                                                                   |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>NOTICE OF APPEAL FROM THE EXAMINER TO<br/>THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>                                                                                                                                                                                                                                                           |  | Docket Number (Optional)<br><b>029079.0001</b>                                                                                                                                                                                    |  |
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on <u>May 14, 2003</u><br>Signature <u>Gail S. Morgan</u><br>Typed or printed name <u>GAIL S. MORGAN</u> |  | In re Application of<br><b>Mitchell, Jr., James D.</b><br>Application Number <u>09/825,176</u> Filed <u>4/3/2001</u><br>For <u>Trimmer Attachment for Lawn Mowers . . .</u><br>Art Unit <u>1675</u> Examiner <u>Petravick, M.</u> |  |
| Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.                                                                                                                                                                                                                                        |  |                                                                                                                                                                                                                                   |  |
| The fee for this Notice of Appeal is (37 CFR 1.17(b))                                                                                                                                                                                                                                                                                                    |  | \$ <u>320</u>                                                                                                                                                                                                                     |  |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:                                                                                                                                                                                  |  | \$ <u>160</u>                                                                                                                                                                                                                     |  |
| <input type="checkbox"/> A check in the amount of the fee is enclosed.                                                                                                                                                                                                                                                                                   |  |                                                                                                                                                                                                                                   |  |
| <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.                                                                                                                                                                                                                                                                              |  |                                                                                                                                                                                                                                   |  |
| <input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.                                                                                                                                                                               |  |                                                                                                                                                                                                                                   |  |
| <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0766</u> . I have enclosed a duplicate copy of this sheet.                                                                                                                        |  |                                                                                                                                                                                                                                   |  |
| <input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.36(a) (PTO/SB/22) is enclosed.                                                                                                                                                                                                                                    |  |                                                                                                                                                                                                                                   |  |
| <b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>                                                                                                                                                                  |  |                                                                                                                                                                                                                                   |  |
| I am the                                                                                                                                                                                                                                                                                                                                                 |  | <u>Kimberly A. Chasteen</u><br>Signature                                                                                                                                                                                          |  |
| <input type="checkbox"/> applicant/inventor.                                                                                                                                                                                                                                                                                                             |  | <u>Kimberly A. Chasteen</u><br>Typed or printed name                                                                                                                                                                              |  |
| <input type="checkbox"/> assignee of record of the entire interest.<br>See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.<br>(Form PTO/SB/96)                                                                                                                                                                                                  |  | <u>757-249-5100</u><br>Telephone number                                                                                                                                                                                           |  |
| <input checked="" type="checkbox"/> attorney or agent of record.                                                                                                                                                                                                                                                                                         |  | <u>May 14, 2003</u><br>Date                                                                                                                                                                                                       |  |
| <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a).<br>Registration number if acting under 37 CFR 1.34(e)                                                                                                                                                                                                                            |  |                                                                                                                                                                                                                                   |  |
| NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.                                                                                                                                                    |  |                                                                                                                                                                                                                                   |  |
| <input checked="" type="checkbox"/> Total of <u>1</u> forms are submitted.                                                                                                                                                                                                                                                                               |  |                                                                                                                                                                                                                                   |  |

This collection of information is required by 37 CFR 1.191. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.